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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,604	11/20/2000	Apurva M. Desai	A-68701/MAK/LM	1590

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FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

EXAMINER

KNAPP, JUSTIN R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 12/01/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/716,604

Applicant(s)

DESAI ET AL.

Examiner

Justin Knapp

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because a corrected Figure 1 was not filed. The pin pad was labeled, 110, in black ink but the register should still be labeled, element 160, to go with the specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 11 is objected to because of the following informalities: on the second line of the claim, it is unclear what "to access accessing" means. For the purposes of this action, it is assumed that the word "accessing" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. NEW Claims 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Fry, USPN 6,415,341.

5. Referring to NEW claim 6, Fry teaches:

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a register device functionally able to expose at least a first service so as to function as a peripheral of another device. A register device (figure 2, element 14) acts as a peripheral whose service is to send commands (for example, bar code scans) to another device.

a peripheral device functionally able to expose at least a second service that can include the first service so as to function as a device that can include a register device. A thermal printer (figure 2, element 32) is a peripheral device whose services are to send data to the register device (POS terminal) to the extent needed to fully emulate the operation of a printer (see column 4, line 17 through column 5, line 10)

a protocol converter service functionally operable to couple any service exposed by said register device to any service exposed by said peripheral device. A protocol converter (figure 2, element 30) couples the register device (POS terminal) and the peripheral device (thermal printer) so the peripheral device can use the services of the register device and vice versa.

6. Referring to NEW claim 7, Fry teaches wherein each service exposed by said register device communicates with said protocol converter using a first protocol (see figure 4, element 50, an RS-485 protocol) and each service exposed by said peripheral device communicates with said protocol converter using a second protocol (see figure 4, element 70, an RS-232 protocol).

7. Referring to NEW claim 8, Fry teaches wherein each service exposed by said register device communicates with each service exposed by said peripheral device through a communication link that includes services supported by said protocol converter. A communication link runs from the register device (figure 2, element 14) to the peripheral device (figure 2, element 32).

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8. Referring to NEW claim 9, Fry teaches wherein said register device communicates with said protocol converter using at least one format protocol selected from a group consisting of RS-232, RS-485, USB, and TCP/IP. In the exemplary embodiment, the RS-232 and RS-485 as taught herein above are used for communication.

9. Referring to NEW claim 10, Fry teaches wherein said register device communicates with said protocol converter using a first protocol and said peripheral device communicates with said protocol converter using a second protocol (as taught herein above); and further comprising: a second peripheral device functionally operable to communicate with said register device using said first protocol without recourse to using said protocol converter. Barcode scanner (figure 2, element 22) communicates directly to the register device using the first protocol (RS-485). See column 3, line 63 through column 4, line 16.

10. Referring to NEW claim 11, Fry teaches a processor communicatively coupled to said protocol converter to access said peripheral device. Microcontroller (figure 4, element 58) is used by the protocol converter to access the peripheral device.

Response to Arguments

11. Applicant's arguments with respect to NEW claims 6-11 have been considered but are moot in view of the new ground(s) of rejection.

12. On page 6 of Amendment A, Applicant states:

“By contrast, the primary Fry reference at best can only convert only certain basic transport layer protocols. Device services with which Fry can attempt to work are restricted to certain corresponding devices, without the cross-over type flexibility present in the invention.”

Applicant's remarks have been fully considered but are they are not persuasive in light of the new rejections for the new claims.

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Conclusion


1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Knapp whose telephone number is (703) 308-6132. The examiner can normally be reached on Mon - Fri 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
Justin Knapp
Examiner
Art Unit 2182

November 16, 2003